

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

*IN RE:* : CHAPTER 13  
: :  
DOMINIC FABBIA and : :  
PATRICIA FABBIA : CASE NO. 18-17959  
Debtors : :

**RESPONSE IN OPPOSITION TO DEBTORS'**  
**PETITION TO RECONSIDER ORDER DISMISSING CASE**

Salmon Country, Inc. (“Responding Creditor”) by and through its undersigned counsel, Fitzpatrick Lentz & Bubba, P.C., responds in opposition to Debtors’ Petition to Reconsider Order Dismissing Case as follows:

1. Denied. Responding Creditor, Salmon Country, Inc. is without knowledge as to the subject matter of the corresponding paragraph and therefore the same is denied. By way of further response, Debtor’s motion for reconsideration wholly fails to cite any intervening change in controlling law, new evidence previously unavailable, or clear error or manifest injustice which might justify reconsideration. Instead, it merely repeats and re-alleges the hardships purportedly faced by Debtors which were already argued and disposed of at the hearing on the motion to dismiss. Moreover, all of the considerations the Court recounted in support of its original decision – including without limitation the serial filing of petitions, the failure to timely appear for a 341 Meeting, and the apparent lack of good faith on the part of Debtors – remain. Debtors cannot overcome any of them. By way of further response, Debtors advance no authority for, and there appears to be no basis in law for, Debtors’ request that the automatic stay be imposed against Responding Creditor notwithstanding the dismissal of Debtors’ Petition. On the contrary, Salmon Country, Inc. submits that this Court ought to instead abide by the plain language of Section 362 of the Bankruptcy Code.

2. Denied. Responding Creditor incorporates its response to Paragraph 1, above.
3. Denied. Responding Creditor incorporates its response to Paragraph 1, above.
4. Denied. Responding Creditor incorporates its response to Paragraph 1, above.
5. Denied. Responding Creditor incorporates its response to Paragraph 1, above.

WHEREFORE, Responding Creditor Salmon Country, Inc., respectfully requests this Honorable Court decline to reconsider its Order dismissing Debtors' Bankruptcy Petition.

JOSHUA A. GILDEA

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Dated: June 25, 2019

By: *s/Joshua A. Gildea*  
Attorney for Salmon Country, Inc.